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15 IN THE UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO
17

18 KATHLEEN IMMEDIATO, individually and
19 as real party in interest to the ESTATE OF
20 RALPH IMMEDIATO

21 Plaintiff,

22 vs.

23 UNITED STATES OF AMERICA

24 Defendant.
25

CASE NO. CV 07-03008 MMC

**STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

26 TO THE ABOVE-ENTITLED COURT:

27 The parties, through their respective counsel, hereby advise this Court, and stipulate, as
28 follows:

1.

1 1) On August 17, 2007, the Court issued a Case Management Scheduling Order for this case,
2 with an initial case management conference date of September 14, 2007 at 10:30 a.m.;

3 2) On August 29, 2007, Plaintiff Kathleen Immediato filed an Amended Complaint which
4 eliminated as a defendant the United States Department of Veteran Affairs and added as the sole
5 defendant to this matter, the United States of America;

6 3) Defendant United States of America has not been served or appeared in this case;

7 4) Plaintiff intends to serve Defendant United States of America with a summons and the
8 Amended Complaint no later than September 14, 2007;

9 5) The parties wish to meet and confer to resolve as many disputes as possible prior to the
10 Case Management Conference;

11 6) In light of the above, the parties respectfully request that this Court: (a) continue the
12 pending Case Management Conference to the next convenient date and time for the Court **after**
13 October 14, 2007, at which point Defendant United States of America will have been served and
14 should have answered or filed other responsive pleadings; (b) that all deadlines, including the need
15 for a joint case management statement and a rule 26 conference, run in accordance with this new
16 Case Management Conference date.

17
18 Dated: September 4, 2007

ADAMS | NYE | SINUNU | BRUNI | BECHT LLP

19
20 By: _____/s/
MICHAEL SACHS
21 Attorneys for Plaintiff
KATHLEEN IMMEDIATO
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24 Dated: September 4, 2007

25
26 By: _____/s/
OWEN P. MARTIKAN
27 Attorneys for Federal Defendants
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1 [PROPOSED] ORDER CONTINUING CASE MANAGEMENT CONFERENCE

2
3 The parties having so stipulated and jointly requested the Court, and good cause appearing,

4 IT IS HEREBY ORDERED that the Case Management Conference, presently scheduled for
5 September 14, 2007 at 10:30 a.m., is continued to _____, 2007 at 10:30 a.m.
6 and that all deadlines should run in accordance with this new case management conference date.

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8 _____
HON. MAXINE M. CHESNEY
United States District Judge
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PROOF OF SERVICE

I am over the age of eighteen years, not a party to the above-captioned matter, and employed by Adams | Nye | Sinunu | Bruni | Becht LLP at 222 Kearny Street, Seventh Floor, San Francisco, California, where the service described below took place on the date set forth below.

Person(s) Served:

Scott N. Schools, Esq.,
United States Attorney
Joann M. Swanson, Esq.
Chief, Civil Division
Owen P. Martikan, Esq.
Assistant United States Attorney
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Document(s) Served:

**STIPULATION AND [RPROPOSED] ORDER CONTINUING CASE MANAGEMENT
CONFERENCE**

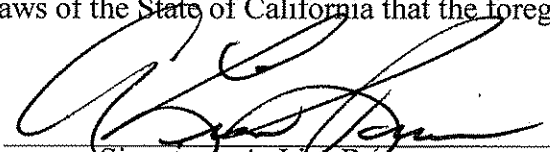
Manner of Service:

Mail: I am readily familiar with my employer's practice for the collection and processing of correspondence for mailing with the United States Postal Service: such correspondence is deposited with the United States Postal Service on the same day in the ordinary course of business in the county where I work. On the date set forth below, at my place of business, following ordinary business practices, I placed for collection and mailing by deposit in the United States Postal Service a copy of each Document Served, enclosed in a sealed envelope, with the postage thereon fully prepaid, each envelope being addressed to one of the Person(s) Served, in accordance with Code of Civil Procedure 1013(a).

☒ **Electronic Service (E-mail):** The document(s) was/were served electronically.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: September 5, 2007



Signature: A. Lisa Ramon

Immediato v. United States of America
USDC, N. District of CA, No. CV 07-03008 MMC
Our file No. ROG-00157